

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IN RE: YASMIN AND YAZ (DROSPIRENONE))	
MARKETING, SALES PRACTICES AND)	3:09-md-02100-DRH-PMF
PRODUCTS LIABILITY LITIGATION)	MDL No. 2100
)	

CASE MANAGEMENT ORDER NO. 23
SUPPLEMENT TO CASE MANAGEMENT ORDER NO. 7
(Insurer Protective Order)

The parties, having agreed to supplement Case Management Order No. 7 (CMO-7), it is **HEREBY ORDERED**:

1. This CMO supplements CMO No. 7 (Order Concerning the Handling of Confidential Information). Nothing in this Supplemental CMO is intended to be inconsistent with the terms of CMO No. 7 and no provisions in CMO No. 7 shall be modified except as specifically set forth herein.

2. Bayer may provide documents designated “Confidential” or “Highly Confidential” to its insurers who have been identified to plaintiffs in this litigation in Defendants’ Response to the PSC’s First Set of Interrogatories to All Defendants, Interrogatory Number 7 and counsel for those insurers (or to insurers’ counsel to provide to the insurer(s)), provided that the conditions of this CMO are satisfied.

3. Any insurer and their counsel receiving any “Confidential” or “Highly Confidential” information shall comply with all terms of CMO No. 7 (Protective Order).

4. Prior to receipt of any “Confidential” or “Highly Confidential” information, any insurer receiving such information, a person with sufficient authority to bind each insurer or its counsel who reviews “Confidential” or “Highly Confidential Information”

shall execute an Acknowledgment to CMO No. 7 and provide a copy to Bayer's counsel on behalf of the insurer or law firm.

5. Bayer shall notify Liaison counsel in the MDL of the name of each law firm or insurer whose Acknowledgment to CMO No. 7 has been received by Bayer's counsel.

6. Any materials provided to the Insurance Carrier or its law firm shall not be used for any purpose other than evaluation of the claims asserted in this MDL and shall not be used outside the claims asserted in this MDL.

IT IS SO ORDERED

September 23, 2010

/s/ David R. Herndon

Honorable David R. Herndon
Chief Judge, United States District Court